



**U.S. Department of Justice**

*United States Attorney  
Southern District of New York*

---

*The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007*

October 30, 2022

**BY ECF**

The Honorable Richard M. Berman  
United States District Judge  
Daniel Patrick Moynihan U.S. Courthouse  
500 Pearl Street  
New York, New York 10007

**Re: *United States v. Stephen Buyer*, 22 Cr. 397 (RMB)**

Dear Judge Berman:

The Government respectfully submits this letter to request that: (1) the Court permit defense counsel to provide materials previously filed in camera and under seal in this case to a designated “filter AUSA” for the Government; and (2) the deadlines for the Government’s memorandum in opposition to defense’s pretrial motions and the defense’s reply memorandum be briefly adjourned.

First, as the Court is aware, in support of the defendant’s pretrial motion arguing violations of attorney-client privilege and work product protection, the defendant has filed certain materials ex parte and in camera with the Court (the “In Camera Materials”). Without full access to the In Camera Materials, the Government cannot properly respond to the defendant’s claims of attorney-client privilege and work-product protection. Accordingly, the Government has requested that defense counsel provide the materials to a “filter AUSA,” that is, an AUSA who is not a member of the prosecution team and will not share the materials with the prosecution team (the “Filter AUSA”). The Filter AUSA will then review the materials and determine what, if any, litigation or opposition papers from the Filter AUSA may be necessary in order to respond to the defendant’s motion. Defense counsel consents to the request and agrees to provide the materials to the Filter AUSA, provided the materials “go[] no further than the filter team without further order of the Court,” but requests permission from the Court to do so, in light of the defense’s having previously requested, and received, the Court’s permission to file the materials in camera and under seal.

Second, and relatedly, in light of the additional level of review created by the filing of the In Camera Materials that was not anticipated when the parties agreed to a motions schedule, the Government respectfully requests a brief (five-day) adjournment of the deadline to oppose the defendant’s motions, until November 16, 2022. Defense counsel consents to the requested adjournment but requests a corresponding adjournment of the deadline for the defendant’s reply,

until November 23, 2022.

Respectfully submitted,

DAMIAN WILLIAMS  
United States Attorney

By:                     /s/                      
Kiersten A. Fletcher  
Elizabeth Hanft  
Danielle R. Sassoon  
Assistant United States Attorneys  
(212) 637-2238/2334/1115

Cc: All counsel (by ECF)